

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by adding Section 2705-203 as follows:

(20 ILCS 2705/2705-203 new)

Sec. 2705-203. Transportation asset management plan and performance-based programming.

(a) The General Assembly declares it to be in the public interest that a project prioritization process be developed and implemented to: improve the efficiency and effectiveness of the State's transportation system and transportation safety; enhance movement and multi-modal connections of people and goods; mitigate environmental impacts; and promote inclusive economic growth throughout the State.

(b) In accordance with Section 2705-200, the Department of Transportation shall develop and publish a statewide multi-modal transportation improvement program for all transportation facilities under its jurisdiction. The development of the program shall use the following methods:

(1) use transportation system information to make investment and policy decisions to achieve statewide and

regional performance goals established in the State's long-range transportation plan;

(2) ensure transportation investment decisions emerge from an objective and quantifiable technical analysis;

(3) evaluate the need and financial support necessary for maintaining, expanding, and modernizing existing transportation infrastructure;

(4) ensure that all State transportation funds invested are directed to support progress toward the achievement of performance targets established in the State's long-range transportation plan;

(5) make investment decisions transparent and accessible to the public;

(6) consider emissions and increase infrastructure resilience to climate change; and

(7) reduce disparities in transportation system performance experienced by racially marginalized communities, low-income to moderate-income consumers, and other disadvantaged groups and populations identified under the Environmental Justice Act.

(c) The Department shall develop a risk-based, statewide highway system asset management plan in accordance with 23 U.S.C. 119 and 23 CFR Part 515 to preserve and improve the condition of highway and bridge assets and enhance the performance of the system while minimizing the life-cycle cost. The asset management plan shall be made publicly

available on the Department's website.

(d) The Department shall develop a needs-based transit asset management plan for State-supported public transportation assets, including vehicles, facilities, equipment, and other infrastructure in accordance with 49 CFR Part 625. The goal of the transit asset management plan is to preserve and modernize capital transit assets that will enhance the performance of the transit system. Federally required transit asset management plans developed by the Regional Transportation Authority (RTA) or service boards, as defined in Section 1.03 of the Regional Transportation Authority Act, shall become the transportation asset management plans for all public transportation assets owned and operated by the service boards. The Department's transit asset management plan shall be made publicly available on the Department's website. The RTA shall be responsible for making public transit asset management plans for its service area publicly available.

(e) The Department shall develop a performance-based project selection process to prioritize taxpayer investment in State-owned transportation assets that add capacity. The goal of the process is to select projects through an evaluation process. This process shall provide the ability to prioritize projects based on geographic regions. The Department shall solicit input from localities, metropolitan planning organizations, transit authorities, transportation

authorities, representatives of labor and private businesses, the public, community-based organizations, and other stakeholders in its development of the prioritization process pursuant to this subsection.

The selection process shall include a defined public process by which candidate projects are evaluated and selected. The process shall include both a quantitative analysis of the evaluation factors and qualitative review by the Department. The Department may apply different weights to the performance measures based on regional geography or project type. Projects selected as part of the process will be considered for inclusion in the State's multi-year transportation program and the annual element of the multi-year program. Starting April 1, 2022, no new capacity project shall be included in the multi-year transportation plan or annual element without being evaluated under the selection process described in this Section. Existing projects in the multi-year highway improvement program may be included regardless of the outcome of using the performance-based project selection tool. The policies that guide the performance-based project selection process shall be derived from State and regional long-range transportation plans. The Department shall certify that it is making progress toward the goals included in the State's long-range transportation plan. All plan and program development based on the project selection process described in this subsection shall include

consideration of regional balance. The selection process shall be based on an objective and quantifiable analysis that considers, at a minimum, the goals identified in the long-range transportation plan and shall:

(1) consider emissions and increase infrastructure resilience due to climate change; and

(2) reduce disparities in transportation system performance experienced by racially marginalized communities, low-income to moderate-income consumers, and other disadvantaged groups and populations identified under the Environmental Justice Act.

(f) The prioritization process developed under subsection (e) may apply only to State jurisdiction projects and not to:

(1) projects funded by the Congestion Mitigation and Air Quality Improvement funds apportioned to the State pursuant to 23 U.S.C. 104(b) (4) and State matching funds;

(2) projects funded by the Highway Safety Improvement Program funds apportioned to the State pursuant to 23 U.S.C. 104(b) (3) and State matching funds;

(3) projects funded by the Transportation Alternatives funds set-aside pursuant to 23 U.S.C. 133(h) and State matching funds;

(4) projects funded by the National Highway Freight Program pursuant to 23 U.S.C. 167 and State matching funds;

(5) funds to be allocated to urban areas based on

population under federal law; and

(6) any new federal program that requires competitive selection, distribution to local public agencies, or specific eligibility.

(g) A summary of the project evaluation process, measures, program, and scores for all candidate projects shall be published on the Department website in a timely manner.

Section 10. The Regional Transportation Authority Act is amended by adding Section 2.39 as follows:

(70 ILCS 3615/2.39 new)

Sec. 2.39. Prioritization process for Northeastern Illinois transit projects.

(a) The Authority shall develop a transparent prioritization process for Northeastern Illinois transit projects receiving State capital funding. The prioritization process must consider, at a minimum: (1) access to key destinations such as jobs, retail, healthcare, and recreation, (2) reliability improvement, (3) capacity needs, (4) safety, (5) state of good repair, (6) racial equity and mobility justice, and (7) economic development. All State capital funding awards shall be made by the Regional Transportation Authority in accordance with the prioritization process. An appropriate public input process shall be established. The Authority shall make a report to the General Assembly each

year describing the prioritization process and its use in funding awards.

(b) A summary of the project evaluation process, measures, program, and scores or prioritization criteria for all candidate projects shall be published on the Authority's website in a timely manner.

(c) Starting April 1, 2022, no project shall be included in the 5-year capital program, or amendments to that program, without being evaluated under the selection process described in this Section.

Section 99. Effective date. This Act takes effect upon becoming law.